IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23004 of 2004

Between:

1 P. Abdul Rahman, S/o. Abdul Rasheed,
Agriculturists, R/o. Narsapur (V), Siddipet (M),

Medak District.
2 P. Irshad Ahmed, S/o. Abdul Rasheed,
Agriculturists, R/o. Narsapur (V), Siddipet (M),

Medak District.
3 P. Aijaz Ahmed, S/o. Abdul Rasheed,
Agriculturists, R/o. Narsapur (V), Siddipet (M),

Medak District.
4 P. Khaleel Ahmed, S/o. Abdul Rasheed,
Agriculturists, R/o. Narsapur (V), Siddipet (M),

Medak District.
5 P. Yousuf Pasha, S/o. Abdul Rasheed,
Agriculturists, R/o. Narsapur (V), Siddipet (M),

Medak District.

... PETITIONERS

AND

1 The Mandal Revenue Officer, Siddipet (M), Medak District.
2 The Mandal Divisional Officer, Siddipet Division,

Medak District.
3 The District Collector, Medak District, at Sanga Reddy

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue a writ order or direction more particularly one in the nature of Writ of Mandamus for bearing more the respondents from interfering with Sy.No. 424 at Narsapur (V), Siddipet (M), Medak District, admeasuring Ac. 1-10 guntas by declaring their action as illegal, arbitrary and against the principles of natural justice.

Counsel for the Petitioners: MR.T.SUBRAMANYAM

Counsel for the Respondents : GP FOR REVENUE

The Court at the admission stage made the following :

O R D E R:

The petitioners claim to be in possession of Ac.1-10 gts. of land in Sy.No.424 of Narsapurvillage, Siddipet Mandal, Medak District. They allege that the land is a Government Poramboke, but was under their possession since last several decades. They complain that the respondents are trying to evict them without following the procedure prescribed by law.

Heard learned counsel for the petitioners and the learned Government Pleader for Revenue.

From the material placed before this Court, it is too difficult to determine the alleged nature of the possession of the petitioners over the land. However, even if the petitioners are said to be in unauthorized possession of any Government land, they can be evicted only after the notice under the relevant provisions of law is issued. There cannot be any action by the Government without following the procedure prescribed by law.

Hence, the writ petition is disposed of, directing that in case the petitioners are in possession of the land referred to above, they shall not be evicted, except by following the procedure prescribed by law. There shall be no order as to costs.

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13th December, 2004

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To

1 The Mandal Revenue Officer, Siddipet (M), Medak District.
2 The Mandal Divisional Officer, Siddipet Division,

Medak District.
3 The District Collector, Medak District, at Sanga Reddy

4 Two C.Cs to the Govt.Pleader for Revenue,

High Court building, Hyderabad (OUT)

5 Two CD copies.